

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:06-cr-245

v.

HON. JANET T. NEFF

WILLIAM SERRANO DOMENECH,

Defendant.

MEMORANDUM OPINION AND ORDER

Defendant William Serrano Domenech has filed a motion for modification or reduction of sentence (Dkt 209) pursuant to 18 U.S.C. §3582(c)(2) based on the modification of the Drug Quantity Table with respect to cocaine base (crack cocaine).

Section 3582(c)(2) permits a court to reduce the term of imprisonment of a defendant who has been sentenced based on a sentencing range that has subsequently been lowered by the Sentencing Commission. 18 U.S.C. § 3582(c)(2). Amendment 750 of the United States Sentencing Guidelines modified U.S.S.G. § 2D1.1, the Drug Quantity Table with regard to cocaine base (crack cocaine), and U.S.S.G. § 2D2.1(b). These modifications were made retroactive effective November 1, 2011. U.S.S.G. § 1B1.10(c).

However, the defendant is ineligible for reduction of sentence because the recalculation of the guidelines does not result in a lower advisory guideline range.

Therefore, IT IS HEREBY ORDERED that Defendant's motion for modification of sentence (Dkt 209) pursuant to 18 U.S.C. § 3582(c)(2) is DENIED.

DATED: December 4, 2012

/s/ Janet T. Neff

JANET T. NEFF

United States District Judge